

November 1996

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Recommended Citation

Graham, Cole Blease Jr. (1996) "The Evolving South Carolina Constitution," *Journal of Political Science*: Vol. 24 : No. 1 , Article 2.

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THE EVOLVING SOUTH CAROLINA CONSTITUTION

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Daniel Elazar has devised a widely used description of political culture which is often used in the study of state government. He defines political culture as "the particular pattern of orientation to political action in which each political system is embedded".¹ The concept of political culture suggests that the underlying values of citizens influence political outcomes in various settings.

The three major types of American political culture are moralistic, individualistic, and traditionalistic. Each major type originated in the ethnic and religious affiliations of colonial settlers and became dominant in a geographic section. Each culture type was then carried and adapted to new conditions as people moved around the country.

The moralistic political culture originated in New England. It emphasizes civic obligation and commonwealth, broad citizen participation, and an active government. An individualistic political culture arises from the mid-Atlantic colonies and sees the political process as a marketplace where public values and resources are allocated by merit resulting from competing individuals and ideas. Traditionalistic political culture is associated with the South, often specifically with South Carolina. It features a social hierarchy with an economic, social, and political elite at the top to which ordinary citizens routinely defer. It maintains the status quo through limited popular participation and only gradual absorption of change.

South Carolina's insularity was virtually continuous for three centuries, extending from its colonial beginnings through its Golden Age of prominent Charles Town (later Charleston) merchants and Lowcountry rice planters of the mid-to-late-1700s down through World War II.

South Carolina's Constitution of 1895 is now more than one hundred years old. Today's version of the 1895 Constitution has been

extensively revised, based initially on the recommendations of a legislative study committee that began work in 1966.

The 1895 Constitution was not created in a vacuum. Prior to its adoption, South Carolina had been governed by colonial charters, colonial constitutions and six constitutions after independence. To understand more fully the 1895 document and the political environment which led to its adoption, one must examine the earlier charters and constitutions.

The Influence of Colonial Charters

Lord Bryce observed, "The State Constitutions are the oldest things in the political history of America,"² since they are linked to the royal colonial charters that created the earliest English settlements. South Carolina's first written constitution in 1776 reflects traditions based in charters creating commercial trading companies that also laid the groundwork for government.³ One example is the charter for the East India Company, granted by Queen Elizabeth, December 31, 1600, which empowered a general assembly of the whole company to elect a governor, a governor's deputy, and a council of 24 members. The company evolved into a closed membership, but the principles of election of members and of defined powers for the chartered company were established. The East India Company had no relations with commercial activities in America, but it established the practice of a written charter for governance with participation by members of the company, or members of a colony.

Carolina Colony had a charter with governing power centered originally in the proprietors who were empowered to, among other things, create and fill offices, establish courts and commute sentences or pardon offenses, designate political subdivisions, incorporate ports and towns, raise troops and wage war, and collect fees and taxes. Importantly, landowning settlers were allowed to elect members to a House of Commons and participate in the governing decisions of the proprietors and they were subjects of the English Crown with all the rights of a resident in England.⁴ The movement toward statehood is marked by the gradual emergence of an elected House of Commons as

the major political authority in the state.

Developments in Colonial South Carolina: The Fundamental Constitutions

The colonial proprietors⁵, or Lords Proprietor, were allowed by their royal charter to develop a code of laws for the colony with the advice and consent of selected settlers. John Locke, later a noted English political philosopher, collaborated in the initial design of social and governmental structures in the colony called the Fundamental Constitutions. New settlers were initially encouraged by provisions for a privileged New World nobility⁶ and for enough religious freedom to allow worship in the church of choice.⁷

The proposed nobility was to be based on the amount of land granted to an individual from the king. All of the territory was to be divided into counties. Each county was made up of eight signiories for the Lords Proprietor, and eight baronies for the nobility. Nobles were titled according to land owned: a Landgrave had 48,000 acres; a cassique 24,000 acres; and a baron 12,000 acres. The supervisor of the nobility was the oldest proprietor, the palatine. The rest of the people were leet-men. Like serfs, leet-men and their families were bound to the soil and could move only with the noble's permission.

Whether due to the physical absence of the Lords Proprietors from the colony, the spirit of the New World, or irregular settlement patterns, the nobility never materialized. The first colonists may have been more interested in making money and enhancing their business reputations than they were in establishing any grand scheme for organizing their society as a nobility and their state to reflect a designed hierarchy.

The Fundamental Constitutions underwent five major revisions between 1669 and 1698 and became obscured on many fronts by the continuing struggles between the old settlers, new settlers, and the proprietors. For example, trade between the colonies and transportation of goods in vessels other than English ones were prohibited by English laws. The colonists thought their charter and the Fundamental Constitutions allowed them to trade as they wanted.

When a Charles Town court overturned the English revenue collector as he tried to enforce the navigation laws, the English king turned on the proprietors. The colonists added to pressures by demanding more independence, which put the proprietors under more strain and the people in closer allegiance with the king.⁸

Colonial Government Under the British Crown

The proprietors' problems finally caught up with them in 1719 when the colonists declared themselves independent. A coastal, agricultural aristocracy emerged with the belief that its prominence and status gave it power and jurisdiction over new arrivals, both free and slave.

In 1729, the colonial government was transferred from the proprietors to the British government. South Carolina began to prosper. Rice became a major source of wealth, along with indigo and silk, and settlement expanded. In 1747, the white population was 25,000 and the slave population was 39,000.

But, by 1760, the number of English officials moving into the colony had increased steadily. The colonists disagreed with many of the decisions of the British Parliament—such as the Stamp Act of 1765, though it was repealed in 1766—and subsequent taxes on products such as glass, paper, and tea. The opposition was expressed by resolutions of the Commons House.

The Commons House led and consolidated public opinion against British governance of South Carolina by advocating the rights and privileges of the settlers. A "people's" party flocked around the Commons House in the belief that government should express the popular will, at least of the colonial landholders.⁹

The actions of the colonial Commons House of Assembly had, over time, become increasingly at odds with the original Fundamental Constitutions and with the orders of royal officials. After the mid-1700s, the Commons House seemed to take over from the royal governor and the royal council. It seemed just as reluctant to decentralize its authority within the state. The colonial controversies over imperial versus colonial, statewide versus local, executive versus

legislative, and appointed versus elected continued into formation of the first state constitution.

South Carolina's Many Constitutions

South Carolina adopted its first state constitution March 26, 1776. Since then, it has adopted six more in 1778, 1790, 1861, 1865, 1868, and 1895, a total of seven. The constitutions of 1790, 1868, and 1895 have been more extensive and politically significant than the others. They were adopted at critical turning points in the state's history: (1) in 1790 after the state entered the federal union; (2) in 1868 during Reconstruction; and (3) in 1895 after general economic distress. The significant revision and modernization of the 1895 constitution, especially since 1968 in response to federal civil rights policies and practical state and local reform pressures, cause some to say there is actually an "eighth" South Carolina constitution.

Revolutionary Era Constitutions (1776, 1778)

South Carolina became a free and independent state on March 26, 1776, more than three months before the Declaration of Independence, after the state's Provincial Congress adopted a plan of government for the state and dissolved into a General Assembly of two houses. The lower house was elected popularly and then elected 13 of its members to an upper house. It also elected a chief executive, called president, a vice president, and a chief justice. The president had a veto power. Practically, political power stayed firmly in legislative hands.

The new constitution faced significant political differences between the upper and lower sections of the state, but did little to deal with them. The Upcountry area had a large, white population, but was able to elect only 64 of the 202 members of the General Assembly, or a little more than 30 percent.¹⁰

In the 1778 constitution, "Governor" replaced "President," but the legislature continued to elect it. The representation imbalance in

the legislature was adjusted so that the Upcountry share approached 40 percent.¹¹ The upper house became a popularly elected senate.

Despite the outward appearance of a comprehensive governmental structure, the reality of government was remote. Interrupted by war, the General Assembly did not meet until January 1782 at Jacksonborough, a settlement about 30 miles southwest of Charleston on the Edisto River.¹² The Jacksonborough legislature provided a new feeling of achievement and success for the state's elite. They had been physically challenged by organized outsiders and agitated by economic hardship, but they had won against heavy odds.

Despite overwhelming Lowcountry representation, in 1786, the legislature relocated the capital from Charleston to Columbia, the geographic center of the state, to symbolize increased statewide unity. In 1787, the General Assembly banned the importation of new slaves. On May 23, 1788, South Carolina ratified the United States Constitution.

The 1790 Constitution was framed by a convention of elected delegates. In the 1790 legislative session, the first in Columbia, the General Assembly ratified state constitution number three and it remained in force until 1861.

The Constitution of 1790

The constitution of 1790 continued colonial legislative traditions of wealthy, Lowcountry planters through its provisions for representation according to wealth and a governor without veto power. The key to "aristocratic stability"¹³ was the institutionalization of political control by white male owners of land and slaves. A House member had to own 500 acres of land and 10 slaves in his district. One could also qualify as a House member by owning 150 pounds sterling worth of debt-free real estate or, if not a resident of the parish, 500 pounds sterling. Senators had to have twice as much worth in each circumstance. Voter registration was limited to a male who could vote in any district where he owned 50 acres of land or a lot in town or in his residential district if he paid three shillings sterling tax there. South Carolina rapidly became one of the most influential states in the new

American Union.

The power of the 1790 legislature was virtually complete over all matters of government in South Carolina. The legislature made all of the laws and elected holders of all major offices, including a governor with no veto power, presidential electors, United States senators, and even many local officials. The political culture enshrined by the 1790 constitution was challenged little until the 1860s.

Secession and The 1861 Constitution

The Secession Convention met in Columbia in December 1860, but, because of a case of smallpox near its meeting place, adjourned to Charleston where it adopted and signed the Ordinance of Secession on December 20, 1860. The Secession Convention also made some changes in the wording of the 1790 constitution to accommodate withdrawal from the Federal Union. The constant and total military mobilization of the state during secession placed government in the hands of military officers. Nevertheless, elections to the legislature were held and the legislature proceeded to elect the governor as always.

One might maintain that there was no new state constitution because the existing provisions for internal governance were not changed significantly. However, once South Carolina seceded from the Union in 1860, the existing state constitution did exist outside the United States Constitution and thus is usually counted separately.

South Carolina soon dispatched commissioners to other states to invite them to meet to organize a new Confederate nation. A southern convention was convened in Montgomery, Alabama, February, 1861, to frame the new Confederate constitution. Many of South Carolina's ideas of a good national constitution were not enthusiastically received. South Carolina tried and lost in efforts, among others, to prevent appeals from a state Supreme Court to the Confederate Supreme Court, to count all slaves when defining the population to apportion representation (since South Carolina had a tremendous slave population), to require state legislatures to elect presidential electors (South Carolina was the last state to allow popular election of

presidential electors), and to prohibit admission to the Confederacy of any non-slaveholding state.

The Constitution of 1865

After Appomattox, South Carolina faced major economic and social problems: (1) its major cities, Charleston and Columbia, were destroyed; (2) military courts governed the state; (3) agriculture was now based on free, not slave labor, but, without adequate money resources, the roots for sharecropping and the crop-lien system were being laid;¹⁴ (4) the Freedman's Bureau reallocated coastal lands and islands occupied by federal troops from 1861, and federal tax policies provided other land for redistribution to freedmen;¹⁵ and (5) prominent citizens had emigrated to Mexico, Brazil, or the western United States.

A new state constitution was a requirement for readmission to the Federal Union. President Andrew Johnston appointed a provisional governor, Benjamin F. Perry, to find and register eligible voters (those who had taken an oath of allegiance to the United States) to elect delegates to a state constitutional convention. Each parish and district (there were no counties) elected as many delegates as it had members in the lower house. Governor Perry avoided too sharp a break with the representation tradition in South Carolina, but, by not counting senators, moved toward greater representation equity based on population. The new constitution of 1865 was ratified September 27, 1865, by a convention rather than popular vote.

The 1865 constitutional convention created closer parity between the Upcountry and Lowcountry by replacing parishes with more uniformly defined election districts. Each district was given one senator, except Charleston which was given two by the convention, perhaps because Charleston represented the concentration of ten old parishes. The House of Representatives was apportioned on the basis of white population and wealth measured by taxes paid on property on the basis of real, current values rather than outdated ones.

The new constitution in 1865 moved toward increased democracy in limited ways. The governor was armed with veto power and

popular election to a four-year term, but the convention only urged the legislature to require popular election of presidential electors.¹⁶ It abolished property qualifications for officeholding and abolished slavery as well, but it did not define the civil rights of the former slaves satisfactorily. Aggravated by South Carolina's insistence on electing former Confederate heroes to the Congress and its passage of the Black Codes to regulate former slaves, the U.S. Congress directed establishment of a new state government in 1868.

The Constitution of 1868

Under authority of the congressional Reconstruction Acts, the head of the United States military government in South Carolina, Major General E. R. S. Canby, ordered a state constitutional convention in Charleston on January 14, 1868. Under military supervision, African American men voted in South Carolina for the first time in the elections for the constitutional convention delegates and elected three-fifths of them. Whites did not vote in the ratification election for the proposed new constitution, despite the fact that it was, and still is, the only whole constitution to be submitted directly to the electorate for approval.¹⁷ It was ratified by the United States Congress April 16, 1868.

The 1868 constitution was equally revolutionary for the times for South Carolina because it embodied many principles of democratic government.¹⁸ For example, for the first time, the new constitution provided for population alone, rather than wealth or the combination of wealth and population, as the basis for House representation. It also continued popular election of the governor rather than election by the General Assembly. The 1868 constitution abolished debtor's prison, provided for public education, abolished property ownership as a qualification for officeholding, granted some rights to women that they had not had before, and created counties.

The popularly elected governor was given a veto that required a two-thirds vote of the General Assembly to override it. A two-thirds legislative vote was also required to issue any bonded debt. The turmoil and accompanying fraud of the administrations elected in the period resulted, in 1873, in an additional requirement that a two-thirds

majority of the voters confirm an increase in the general obligation debt of the state. The 1868 Constitution's Article 10 provided for a uniform system of free public schools. Although not implemented, the constitution mandated that the schools should operate for at least six months each year. Further, all children had to attend school at least 24 (four years) as soon as enough facilities were available. A reform school for juvenile offenders was also mandated, but it was not built until in the early 1900s. Proper provisions for the deaf and blind were also ordered. Schools were financed by a poll tax, and in 1878 an amendment added two mills for the schools. Maintenance of the state university was made mandatory and the creation of a normal school and an agricultural college were also required.

The status of the newly freed slaves was also confronted in the 1868 Constitution. Race was abolished as a limit on male suffrage. Disfranchisement could be only for murder, robbery, and dueling. The Black Codes that had flourished under the Constitution of 1865 were essentially forbidden by the 1868 Constitution. There was no provision against intermarriage of African Americans and whites, and all the public schools were open to all races.

The Constitution of 1895

Stirrings that led to the development of a new South Carolina Constitution began in the 1880s with agricultural and labor groups under the leadership of Benjamin R. Tillman.¹⁹ Tillman was elected governor in 1890 and his agrarianism appealed to white farmers, a majority of the voting population who were simultaneously a minority of the state's total population.

The reason for framing a new constitution was the perceived danger of an African American majority vote and a return to the politics of Reconstruction or the manipulation of the large African American majority vote by an active, conservative white minority of planters, professional men, and business leaders.²⁰ Under Tillman's leadership, the state steered the narrow course of disfranchising South Carolina's African Americans without disfranchising poor, illiterate whites or stirring the national government to act on the provisions

protecting African Americans in the United States Constitution.

The 1895 constitution was adopted by a convention with the specific aim of excluding African Americans from politics. The Black Codes would re-emerge under the 1895 constitution as "Jim Crow" laws in forms subtle enough to avoid immediate conflict with the Fifteenth Amendment to the United States Constitution.

African Americans in 1900 made up 58 percent of the state's population. The means for their disfranchisement was through the suffrage clause in the 1895 Constitution. The new provision gave the right to vote to all males who were paying taxes on property assessed at \$300.00 or more and who were able to read and write the state constitution. Even if an African American male voter owned enough property, the constitutional literacy tests could be used by local, white voting registrars to disqualify him. Literacy tests could be used to exclude uncooperative poor whites also. The poll tax was not abolished until 1951 and unregulated local voter registration continued until passage of the federal Voting Rights Act in 1965.

The South Carolina tradition of legislative control of local government, as old as colonial times, was continued in the 1895 constitution through the failure to provide for locally elected county governing bodies. The legislative delegation from each county became the county governing board. A special, "local government" session was reserved for the end of each legislative year to pass a budget, or supply bill, for each county.²¹

The 1895 Constitution made specific use of the county as a base from which to organize politics and representation. The dispersion of political power to the county as an organizing jurisdiction led to dominance by the rural areas. Each county was allowed one senator regardless of population. Through a system of delegation governance, individual senators were able to influence the course of legislative and governmental affairs by control of special legislation and with the supporting customs of senatorial courtesies. Special legislation applied only to one county and each senator customarily did not interfere with the special laws or local appointments proposed by another senator.²²

The longstanding political influence of the Lowcountry was partially diminished through the influence of single senators in the more numerous Upcountry counties. In turn, the large number of small,

rural counties across the state overshadowed developing needs in the smaller number of large, urban counties.

Despite the preoccupation with race, many of the typical and therefore more reform-oriented features of the 1868 Constitution were retained. Among them were the governor's veto, legal rights for women, and the provisions for public education. However, the practical side of the 1895 revisions was that the executive department was still split into many offices, including some elected state agency heads. The formal powers of the governor were generally restrained, especially by limits to a two-year term with potential for only one reelection.

The 1895 Constitution was not submitted to a popular referendum. The theory was that because the Convention delegates were chosen by the people, the Convention could put its provisions directly into operation.

Overhauling the 1895 Constitution

As early as the 1920s, Professor D. D. Wallace questioned whether the 1895 Constitution needed replacement.²³ By the middle of the twentieth century, the criticisms of the 1895 Constitution were more extensive.

For example, it was cluttered by numerous amendments required for local government actions. Through the 1966 election, 330 constitutional amendments had been passed.²⁴ About three-fifths of these amendments dealt with bonded debt limits for local governments, especially school districts. It was not until 1968 that a constitutional amendment to change the bonded debt of a county could be voted on just within the county and not statewide. South Carolina along with Florida had the ninth longest constitution in the country in 1960 when measured by the number of words in the document.²⁵ The constitution was swarmed with decisions just as easily made and changed by statute.

Many citizens and organized groups had recommended constitutional revision, but before the 1960s, there were no practical results. A study committee was created by the General Assembly in 1966 to evaluate the need for revision. Based on its evaluations, the

committee was additionally charged "to recommend provisions which may be included in a new constitution, to suggest methods to eliminate archaic provisions, and to propose methods to bring about changes ...

"26

The Committee to Make a Study of the South Carolina Constitution of 1895 made its report to the General Assembly in July 1969. In the course of its work, the study committee focused on each section of the 1895 document, painstakingly reviewed it, and made a specific evaluation to carry over or delete a section. If carried over, the report recommended needed revisions. The study committee also drafted and made the case for some new sections in the constitution.²⁷

The committee proposed 17 new articles to the General Assembly to be considered through an article-by-article amendment process aligned with the original 17 articles in the 1895 Constitution. The General Assembly also approved the study committee's proposal for appointment of a legislative steering committee of five senators and five representatives to shepherd the individual articles through the legislature to general election referendums. The legislative steering committee was headed by Senator Marion Gressette (D-Calhoun County)

Original hopes were to complete the article-by-article revision in committee and submit all 17 articles at the same time in the 1970 general election. Each proposed article had to be authorized by a two-thirds vote of each house and be approved by a majority of general election voters. The changed article had to be ratified by the General Assembly before it was included in the constitution. Ratification set the effective date for the new amendment.

The initial hope for complete revision in one general election was not achieved. Five revised articles were approved by voters in 1970 and ratified in 1971. Revised Article I deals with personal rights. The long time, formal constitutional guarantees for freedom and liberty were left intact. Many provisions similar to the 1868 Constitution, such as to vest the power in the people, to establish religious freedoms, freedom of speech, and the right of assembly and petition, were not changed. Among other fundamental freedoms and liberties carried over were guarantees of privileges and immunities, due process and equal protection of the law, and prohibitions against bills of attainder, ex post

facto laws, and titles of nobility. The complete list reads much like the Bill of Rights to the United States Constitution.

Revised Article II treats the right of voting. The revised article essentially establishes up-to-date requirements for voting. In a 1974 amendment, the voting age was set at 18 years and the residency requirement at 30 days. The article also provides for the registration of voters.

The new Article IX arranges for corporations. The revisions updated this article and streamlined the constitutional procedures by which corporations are regulated. Common carriers, publicly owned utilities, and privately owned utilities are specifically mentioned.

Article XII distributes the functions of government. The revisions updated the older version of this article that was called "Charitable and Penal Institutions." The new article requires the General Assembly to provide appropriate agencies for "the health, welfare, and safety of the lives and property of the people of this State and the conservation of its natural resources." It provides for the building of prisons, the care and control of convicts, and the separate confinement of juvenile offenders.

New Article XV is the impeachment article. Very few changes were made in this article that provides conditions for the removal of judges, the governor, and other officers that the General Assembly identifies by law.

In the 1972 election, voters approved seven more revised articles. One of these articles dealt with alcoholic liquors and was proposed directly by the General Assembly rather than by the study committee. After all these articles were ratified, the comprehensive result was one article essentially carried over into the new constitution (Art. XV, Impeachment), ten articles revised, and the one new article (Art. VIII-A, Alcoholic Liquors and Beverages).

Article IV deals with the executive department. Executive powers are not increased, but the rules of gubernatorial succession are made clear and definitions are made regarding who governs in the absence of the governor. The most significant change came in 1981 when this revised article was amended again to allow the incumbent governor to run for reelection to a second four-year term.

Article V treats the judicial department. The revised article provides for a unified court system under the supervision of the state Supreme Court. It included old Article VI from the 1895 Constitution that dealt with jurisprudence. A Court of Appeals between the state Supreme Court and the sixteen Judicial Circuit courts was added in 1984. A 1988 amendment established a statewide grand jury to give the state attorney general more flexibility in prosecuting cases, especially drug cases. Experts feel that handling evidence to win indictments is easier through the statewide grand jury than a jury limited to a single county.

Revised Article VI clarifies and increases the removal powers of the governor by allowing the governor to suspend any state or local official, except for legislators or judges, if they are indicted by a grand jury. This article also includes the "long ballot," whereby South Carolina elects a Secretary of State, an Attorney General, a Treasurer, a Superintendent of Education, a Comptroller General, a Commissioner of Agriculture, and an Adjutant General to terms coterminous with the governor.

Article VIII on local government allows local governing bodies for counties to replace the General Assembly's tradition of special legislation. The article also requires alternate forms of local government. It combined two articles from the 1895 Constitution (VII-Counties and VIII-Municipalities).

The article on alcoholic liquors and beverages (Article VIII-A) established South Carolina's mini-bottle policy. The state had tried to regulate liquor through a cumbersome "brown-bag" arrangement. Consensus was difficult because of "wet vs. dry" conflicts across the state. By letting the voters decide, the legislature could define a productive source of tax revenue for public education and alcohol treatment programs and positively improve the reputation of the state for tourists and business people.

Article XI, Public Education, requires a free public school system and permits indirect state aid to students. The article creates a State Board of Education made up of one member from each of the 16 judicial circuits elected by the legislative delegation within each circuit and rotated among the counties within. The governor appoints an additional member to the board.

The State Constitution Today

Since the early 1970s flurry of constitutional change, developments have gone more slowly. Article III regarding the legislative branch has not been revised, but an amendment in 1977 fixed the times and terms of the legislative session. In 1979, a general reserve fund requirement was ratified under this article.

Revised Article X on finance and taxation was ratified May 4, 1977. It identifies categories and formulas for the assessment of property and defines approaches that the General Assembly may take for classifying property and setting the assessment ratios for different categories of property.

The original 1895 Article X was the constitution's most amended section. The new article restricts the right of the state, its political subdivisions, and school districts to issue bonds and gives the General Assembly power to define limits and additional procedures for incurring general obligation debt. These restrictions limit use of specific constitutional amendments as a means to incur excessive or careless debt.

Provision for the militia (Article XIII) and eminent domain (Article XIV) have not been changed. The article on the militia has a section that requires pensions for Confederate veterans and their indigent widows. The last Confederate widow survived until the early 1990s. The other articles deal with the amending and revising processes (Article XVI) and with Miscellaneous Matters (Article XVII). These articles were changed to the extent necessary to accommodate the revision process.

In 1992, legislation was introduced which proposed a constitutional referendum to restructure state government by limiting the number of state agencies to 15 and by authorizing the governor to appoint state agency heads. The General Assembly did not authorize the referendum, but in the 1993 session, it passed legislation that combined more than six dozen agencies into 11 agencies run directly by the governor and six agencies with some gubernatorial control in place of predominant governing commissions.

Conclusion

Traditionalistic political culture was perpetuated in South Carolina's Constitution of 1895 by the transformation of the plantation aristocracy into an elite of bankers, merchants, and farmers in the many small towns developing around new railroads. Obsolete and troubling provisions were changed by an amending process begun in the mid-1960s. Legislators and voters confronted the task of harmonizing the state constitution with federal policies outlawing racial segregation and demanding population-based representation. Pressures for economic development highlighted the awkwardness of lengthy and restrictive taxation and borrowing provisions in the constitution.

Although today's state constitution is similar in function to earlier versions, it is more modern and up-to-date. It establishes the foundations for more independent and effective executive and judicial branches. It also creates the basis for more self-directed local governments.

There will always be need for change as parts of the constitution fall out-of-date, especially as South Carolina's traditionalistic society now more frequently gives way to market pressures through urbanization, industrialization, and tourism. These economic changes inevitably lead to a more individualistic political culture and different social and political attitudes as challenges to South Carolina's past political culture. Examples of possible constitutional changes in the future may include permission to have a lottery, allowing gambling, or appointing constitutional officers other than the governor and lieutenant governor. Hence, South Carolina joins other states that rely on their state constitutions for directing important public policy decisions.

There will always be need for change as parts of the constitution fall out-of-date. For example, permission to have a lottery, clarification of gambling or divorce regulations, or the election of officers named in the constitution may become topics for proposed constitutional amendments. Hence, South Carolina joins other states that rely on their state constitutions to directing important public policy decisions.²⁸

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